

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	15-00158-01-CR-W-DW
)	
DARNELL D. WALKER,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on May 16, 2016. Defendant Darnell Walker appeared in person and with Assistant Federal Public Defender Ronna Holloman-Hughes. The United States of America appeared by Assistant United States Attorneys William Meiners.

I. BACKGROUND

On April 29, 2016, an indictment was returned charging defendant with one count of possessing a firearm after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Meiners announced that he and Matthew Moeder will be the trial counsel for the government. The case agent to be seated at counsel table is Dawn Jones, Kansas City, Missouri Police Department.

Ms. Holloman-Hughes announced that she will be the trial counsel for defendant Darnell Walker. Mark Wolpic, investigator, will assist.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Meiners announced that the government intends to call 12 witnesses without stipulations or 10 witnesses with stipulations during the trial.

Ms. Holloman-Hughes announced that defendant Darnell Walker intends to call 2 witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Meiners announced that the government will offer approximately 42 exhibits in evidence during the trial.

Ms. Holloman-Hughes announced that defendant Darnell Walker will offer approximately 20 exhibits in evidence during the trial.

VI. RULE 404(b) EVIDENCE

Mr. Meiners announced that the government will offer 404(b) or res gestae evidence during the trial.

Ms. Holloman-Hughes announced that defendant Darnell Walker will offer 404(b) or res gestae evidence during the trial.

VII. DEFENSES

Ms. Holloman-Hughes announced that defendant Darnell Walker will rely on the defense of general denial and self defense.

VIII. POSSIBLE DISPOSITION

Ms. Holloman-Hughes stated this case is definitely for trial.

Mr. Meiners stated the government had not proposed a plea agreement to defendant Darnell Walker.

IX. STIPULATIONS

Stipulations are likely as to chain of custody, prior felony conviction and the interstate nexus of the firearm.

X. TRIAL TIME

Counsel were in agreement that this case will take 2 ½ - 3 days to try.

XI. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed June 29, 2016, counsel for each party file and serve a list of **exhibits** he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by **May 18, 2016**;

That counsel for each party file and serve requested jury **voir dire** examination questions by or before noon, Wednesday, **May 25, 2016**;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested **jury instructions** by or before noon, Wednesday, **May 25, 2016**. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

That each party file all **signed stipulations** by or before noon, Wednesday, **May 25, 2016**;

That **seven days before the trial date** as reflected in the forthcoming trial letter, if there is not a scheduled change-of-plea hearing, the parties shall make available for the opposing party to inspect, copy or photograph (1) **all premarked trial exhibits**, (2) **any written statements that will be used at trial**, and (3) **Rule 404(b) and res gestae evidence to be offered at trial**.

XII. UNUSUAL QUESTIONS OF LAW

The government will likely file motions in limine regarding Justin Irvin's prior conviction, self defense, Jackson County's declination of prosecution and the ongoing grand jury investigation. The defense will likely file a motion in limine to prevent police from testifying about the defendant pointing a gun at police.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on May 31, 2016. The parties request the second week of the docket due to conflicts with the first week.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
May 17, 2016